

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JACQUES RIVERA,	)	
	)	No. 12 CV 004428
Plaintiff,	)	
	)	
v.	)	The Honorable Joan B. Gottschall
	)	
REYNALDO GUEVARA, et al.,	)	
	)	
Defendants.	)	

**INDIVIDUAL DEFENDANTS' EMERGENCY MOTION TO RESET SCHEDULES**

Defendants Reynaldo Guevara, Steve Gawrys, Daniel Noon, Joseph Fallon, Joseph Sparks, Paul Zacharias, John Guzman, Gillian McLaughlin, the Estate of John Leonard, Edward Mingey, Russell Weingart, and Rocco Rinaldi (“Individual Defendants”), by their attorneys, The Sotos Law Firm, P.C., bring this emergency motion to reset the current pretrial schedule in this case and state:

1. This matter has a current trial date of February 12, 2018.
2. On January 16, this Court set a briefing schedule for pretrial filings, the first of which is Friday, January 26, when motions in *limine* are due.
3. Relatedly, this Court has not yet ruled on Defendants’ summary judgment motion, which if granted in whole or part could result in one or more of the Individual Defendants being dismissed from the case.
4. In recent discussions with the Individual Defendants about the status of the case, it has become apparent that conflict issues have arisen related to the continued multiple representation of all Individual Defendants by The Sotos Law Firm, P.C.

5. Until those conflict issues have been resolved, it is currently unclear if The Sotos Law Firm, P.C. will be representing some or all of the Individual Defendants going forward, including in the filing of the motions in *limine* and other pretrial filings as set forth in the Court's January 16 minute order, and at trial. Similarly, if The Sotos Law Firm, P.C. will not be representing some or all of the Individual Defendants, it is currently unclear who would be representing them.

6. The Sotos Law Firm, P.C. is continuing to communicate with the Individual Defendants about the issues of multiple representation, which are complex. The Sotos Law Firm, P.C. is currently unable to predict what the result of its discussions with the Individual Defendants will be or when those results will be determined. Because of attorney-client privilege, The Sotos Law Firm, P.C. cannot currently provide more specifics to the Court.

7. Until the issues of conflict and multiple representation are resolved, The Sotos Law Firm, P.C. and the Individual Defendants respectfully request the Court reset the current pretrial schedule.

8. The Sotos Law Firm, P.C. has spoken with counsel for Plaintiff and the City of Chicago of the circumstances. The City has no objection to this motion; Plaintiff has stated he will file his own motion.

9. This motion is not being made for the purpose of causing undue delay or prejudice.

WHEREFORE, the Individual Defendants and the Sotos Law Firm, P.C. respectfully request the Court reset the current pretrial schedules.

Dated: January 25, 2018

Respectfully submitted,

/s/ Jeffrey N. Given

JEFFREY N. GIVEN, Attorney No. 6184989  
*One of the Attorneys for Individual Defendants*

James G. Sotos  
Elizabeth A. Ekl  
Jeffrey N. Given  
**THE SOTOS LAW FIRM, P.C.**  
550 East Devon, Suite 150  
Itasca, Illinois 60143  
Tel: (630) 735-3300  
Fax: (630)773-0980  
[jgiven@jsotoslaw.com](mailto:jgiven@jsotoslaw.com)

**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C.A. § 1746, and that I electronically filed a complete copy of the foregoing **Individual Defendants' Emergency Motion to Reset Schedules** with the Clerk of the Court on January 25, 2018, using the CM/ECF system, which will send notification of such filing to the attached service list.

/s/ Jeffrey N. Given  
JEFFREY N. GIVEN, Attorney No. 6184989  
*One of the Attorneys for Individual Defendants*

**SERVICE LIST**  
***Rivera v. Guevara, et al.***  
**Case No.:12 cv 04428**

**Attorneys for Plaintiff**

Arthur R. Loevy  
Jonathan I. Loevy  
Elizabeth N. Mazur  
Russell Ainsworth  
Michael I. Kanovitz  
Steven E. Art  
Anand Swaminathan  
311 N. Aberdeen  
Chicago, IL 60607  
(312)243-5900  
(312) 243-5902 (Fax)  
[loevylaw@loevy.com](mailto:loevylaw@loevy.com)  
[jon@loevy.com](mailto:jon@loevy.com)  
[Elizabethm@loevy.com](mailto:Elizabethm@loevy.com)  
[russell@loevy.com](mailto:russell@loevy.com)  
[mike@loevy.com](mailto:mike@loevy.com)  
[steve@loevy.com](mailto:steve@loevy.com)  
[annad@loevy.com](mailto:annad@loevy.com)

J. Samuel Tenebaum  
Bluhm Legal Clinic  
375 East Chicago Avenue  
Chicago, IL 60611  
(312) 503-4808  
[s-tenenbaum@law.northwestern.edu](mailto:s-tenenbaum@law.northwestern.edu)

Locke E. Bowman, III  
Alexa Van Brunt  
Roderick MacArthur Justice Center  
Northwestern University School of Law  
375 East Chicago Avenue  
Chicago, IL 60611  
(312)503-0844  
(312)503-1272 (fax)  
[l-bowman@law.northwestern.edu](mailto:l-bowman@law.northwestern.edu)  
[a-vanbrunt@law.northwestern.edu](mailto:a-vanbrunt@law.northwestern.edu)

**Attorneys for City of Chicago**

Eileen E. Rosen  
Stacy A. Benjamin  
Catherine M. Barber  
Theresa B. Carney  
Rock Fusco & Connelly, LLC  
321 N. Clark Street, Suite 2200  
Chicago, IL 60654  
(312)494-1000  
(312)494-1001 (fax)  
[erosen@rfclaw.com](mailto:erosen@rfclaw.com)  
[sbenjamin@rfclaw.com](mailto:sbenjamin@rfclaw.com)  
[cbarber@rfclaw.com](mailto:cbarber@rfclaw.com)  
[tcarney@rfclaw.com](mailto:tcarney@rfclaw.com)